

15866 U.S. PTO
08/05/03

Express Mail No. EV348162601US

PATENT
Docket No. 7000635001

Certificate of Mailing (37 C.F.R. § 1.10):

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" (Express Mail label No.: EV 348162601US) service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 5, 2003

Name of Person Certifying:

Printed Name: Jae Wan Hwang

Jae Wan Hwang

19704 U.S. PTO
10/635823
08/05/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lenz et al.
Filing Date: August 5, 2003
Serial No.: Unassigned
Title: MANGANESE SUPEROXIDE DISMUTASE GENE POLYMORPHISM FOR PREDICTING CANCER SUSCEPTIBILITY

Examiner: Unassigned
Group Art Unit: Unassigned

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

UTILITY PATENT APPLICATION & FEE TRANSMITTAL

(for nonprovisional applications under 37 CFR § 1.53(b))

Sir:

Transmitted herewith for filing in connection with the above-identified patent application are the following:

I. Elements of the Application	
<input checked="" type="checkbox"/> Application	[1] page(s) of Cover Sheet [40] page(s) of Specification (pp. 1-40) [3] page(s) of Claims (30 claims, pp. 41-43) [1] page(s) of Abstract (p. 44) [2] sheets of Drawings (Figs. 1-2)
<input checked="" type="checkbox"/> Declaration and Power of Attorney	[3] page(s)
[] Unexecuted	[X] Executed [X] Copy from prior application (37CFR § 1.63(d))
<input type="checkbox"/> Deletion of Inventors:	[] page(s) of signed statement deleting inventor(s) (37CFR§ 1.63(d) & 1.33(b))
<input type="checkbox"/> Request and Certification Under 35U.S.C. 122(b)(2)(B)(i)	
<input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission:	
[X] 1 page of Statement Regarding Sequence Listing Under 37 CFR 1.821-1.825	
[X] 2 pages of Sequence Listing (paper copy)	
[X] disk containing Sequence Listing (computer readable copy)	
The Invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.	
<input type="checkbox"/> The name of the U.S. Government agency is _____ and the Government contract number is: _____	

II. Claim for U.S. Priority

- ☒ This application is a ☐ Continuation ☒ Divisional ☐ Continuation-in-Part of Prior Application No. 09/824,629 filed on April 2, 2001, now allowed, which claims priority of 60/193,964 filed on March 31, 2000. (35 USC §120)
- ☐ This application claims the benefit under 35 U.S.C. §119(e) of United States Application Serial _____, filed _____. (Provisional Application)
- ☐ The entire disclosure of the prior application referenced above, is considered as being part of the application filed herewith and is herein incorporated by reference in its entirety.

III. Claim for Foreign Priority

- ☐ This application claims the benefit under 35 USC §119 of Prior Application No. _____ filed _____.
- ☐ Certified Copy of Priority Document [] page(s)
- ☐ English Translation of Priority Document [] page(s)


IV. Accompanying Documents

- ☐ Assignment Papers [] page(s) of Recordation Cover Sheet [] page(s) of Assignment
- ☐ Applicant(s) claims Small Entity Under 37 CFR § 1.27 [] Verified Small Entity Statement was previously filed in Prior Application No. _____ on _____.
- ☐ Information Disclosure Statement [] page(s) of PTO-1449 [] copies of IDS References
- ☒ A Preliminary Amendment [4] pages
- ☐ A copy of a Petition for Extension of Time (_ mos.) filed simultaneously in Prior Application No. _____
- ☐ A copy of a Submission of Processing & Retention Fee (37 CFR § 1.78(a)(1) which is being filed simultaneously in Prior Application No. _____
- ☒ Other: - Application Data Sheet – Initial (2 pgs.)
- Copy of Executed Assignment from Prior Application
- Reel/Frame: 012106/0024, Recordation date: 08/13/2001 (5 pgs.)
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

V. Fee Calculation

					CALCULATIONS
<input checked="" type="checkbox"/> The following fees are submitted:					\$
		OTHER THAN SMALL ENTITY	SMALL ENTITY		
BASIC NATIONAL FILING FEE		\$ 750.00	\$ 375.00		\$ 375.00
EXTRA CLAIMS FEE					
CLAIMS	# FILED	# EXTRA	RATE	RATE	
Total Claims	12 – 20 =	0	× \$18.00	× \$ 9.00	\$ -0-
Independent claims	3 – 3 =	0	× \$84.00	× \$42.00	\$ -0-

MULTIPLE DEPENDENT CLAIM(S)			
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	\$270.00	\$135.00
Fee for recordation of the enclosed assignment (37 CFR 1.21(h), 3.28, 3.31).			
		(Numbers of Applications) × \$40.00	\$
OTHER FEES _____ (specify)			\$
		TOTAL FEES =	\$ 375.00

a.	<input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.
b.	<input checked="" type="checkbox"/> Please charge Deposit Account No.: <u>50-2518</u> , Docket No. <u>7000635001</u> , in the amount of \$ <u>375.00</u> to cover the above fees. <i>A duplicate copy of this sheet is enclosed.</i>
c.	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-2518</u> , Docket No. <u>7000635001</u> . <i>A duplicate copy of this sheet is enclosed</i>
SEND ALL CORRESPONDENCE TO:	
David W. Maher Bingham McCutchen LLP Three Embarcadero Center, 28th Floor San Francisco, CA 94111 Telephone: (650) 849-4908 Facsimile: (650) 849-4800	<div style="text-align: center;">  _____ SIGNATURE </div> <div style="text-align: center;"> August 5, 2003 _____ DATE </div> <div style="text-align: center;"> David W. Maher _____ NAME </div> <div style="text-align: center;"> 40,077 _____ REGISTRATION NUMBER </div>